

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

JEFFERY GETER,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Case No: 5:16-cv-00444 (TES) (CHW)
	:	
Dr. AKUNWANNE,	:	
	:	
Defendant.	:	

ORDER

After repeatedly advising Plaintiff Jeffery Geter of his duty to sit for a deposition, (Doc. 33, p. 16; Doc. 147, p. 2), the Court entered an order dismissing this Section 1983 action on March 30, 2022. *See* (Doc. 167). The Court’s dismissal was based both on Geter’s repeated refusal to participate in the deposition process and on Plaintiff’s failure to state a claim for relief. Now pending before the Court is a motion to vacate submitted by Plaintiff on June 10, 2022, and received by the Court on June 14, 2022. (Doc. 173). Because the motion was filed more than 28 days after the entry of judgment, the Court construes the motion as seeking relief under Rule 60(b) of the Federal Rules of Civil Procedure.

Plaintiff’s motion fails to address either rationale for the Court’s dismissal and does not advance any other basis for revisiting the Court’s judgment. Instead, the motion only reiterates complaints about delayed receipt of legal mail and various factual assertions about Plaintiff’s medical care. Because Plaintiff’s motion does not remedy his pleading errors, and because Plaintiff still gives no explanation for his failure to participate in

litigation or comply with orders of the Court, Plaintiff's motion to vacate (Doc. 173) is
DENIED.

SO ORDERED, this 1st day of July, 2022.

s/ Tilman E. Self III
Tilman E. Self, III, Judge
United States District Court